

### **DETAILED ACTION**

1. This action is in response to the filing of 6/17/2009. Claims 1-6, 8-23, 25-32 and 34-38 are pending and have been considered below.

#### ***Claim Rejections - 35 USC § 112***

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1, 8, 34 and 37 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Applicant's amendment with regard to generation without user input is indefinite with regard to claims 1, 8, 34 and 37. It is indefinite whether it is the actual application programs themselves that are generated without user input, or whether it is the particular *configuration* or *grouping* (verb) of programs that is generated without user input (as is the case with regard to claims 16 and 25.) As such, the Examiner will take the latter interpretation, that particular configuration or grouping, is what is "generated without user input" for prosecution of this application.

Furthermore, it is unclear whether indirect user input (as is recited in applicant's claims) in a fashion of user choice in using certain programs before terminating a session, or of selecting certain program more / most often is within bounds of "generated without user input." The Examiner will take the interpretation that indirect

user input is within bounds of "generated without user input" for the prosecution of this application.

***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claim 1-6, 8-23, 25-32 and 34-38 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rathbone (Andy Rathbone, Windows XP for Dummies®, Wiley Publishing, Inc) in view of Ricart (The Complete Idiot's Guide® to Linux, Second Edition) in further view of Enin (Batch Launcher 1.0 Feb 10, 2003 release) and in further view of Langer (Mac OS X 10.1, Visual Quickstart Guide, Peachpit Press, Copyright (c) 2002.)

**Claim 1, 8, 16, 25, 34, 37:** Rathbone discloses a user interface start page (pg. 62, initial desktop page + windows bar, etc.) displayed on a display device of a computing device, the user interface start page configured to be displayed: (1) after a user has selected one of multiple selectable logon controls (pg. 63, e.g. Andy Rathbone logon) on a user interface logon page, each of the multiple selectable logon controls corresponding to a respective user of the computing device (pg. 63; transitioning),

However, Rathbone does not explicitly disclose the user interface start page comprising:

- a. the user interface start page configured to be displayed (2) before display of a desktop page corresponding to selections made by the user on the user interface start page,
- b. a desktop selection control configured to allow selection of one of a plurality of desktop environment associated with the user corresponding to the selected selectable logon control from the user interface logon page, each of the plurality of desktop environment corresponding to a different user persona of the user corresponding to the selected selectable logon control, wherein the plurality of desktop environments comprises a work environment, a home environment, a weekend activities environment and a weekday activities environment; and
- c. a selectable control configured to allow a user to select one group of multiple groups of application programs in response to a single user input, wherein the multiple application programs from the selected group start together in response to the single user input and further wherein the group of multiple application programs are generated without user input and include at least one of
  - a. (i) a group of multiple application programs executing when a previous computing session was discontinued,
  - b. (ii) a group of multiple application programs often selected for use,
  - c. (iii) a group of multiple application programs recently for use, and
  - d. (iv) a group of multiple application programs most used by the user; and

- d. selectable configurations each configured for a user selection to designate a multiple application start-up configuration, wherein the selectable configurations include at least one of
  - a. (i) a configuration to designate a group of applications executing when a previous computing session was discontinued,
  - b. (ii) a configuration to designate a group of applications often selected for use,
  - c. (iii) a configuration to designate a group of applications recently selected for use and
  - d. (iv) a configuration to designate a group of applications most used by the user.

Ricart discloses a well-known operating system including a particularly signature concept of multiple desktop selection, including:

- a. the user interface start page configured to be displayed (2) before display of a desktop page (page 67, any one of the four other desktops) corresponding to selections made by the user on the user interface start page,
- b. a desktop selection control configured to allow selection of one of a plurality of desktop environment associated with the user corresponding to the selected selectable logon control from the user interface logon page ("virtual desktop buttons," page 67), each of the plurality of desktop environment corresponding to a different user persona of the user corresponding to the selected selectable logon control, wherein the plurality of desktop environments comprises a work

environment, a home environment, a weekend activities environment and a weekday activities environment (the Examiner notes that the virtual desktop buttons can be renamed any way the user wants, including "work", "home," "weekend," or "weekday" so as to correspond to a 'persona'; page 71);

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to include a desktop selection controls as disclosed by Ricart, in the operating system of Rathbone as one would have been motivated to include the best features from other prevailing operating system user interfaces to an improvement an operating system user interface.

Enin discloses a Batch Launcher application for use on an operating (such as Windows XP OS disclosed by Rathbone), including:

- b. a selectable control (Figure 1, left pane which includes "Batch launcher project", Changes Saver project", etc.) configured to allow a user to select one group (Figure 1, any one batch from the list in left pane: "Batch launcher project", Changes Saver project", etc.) of multiple groups of application programs in response to a single user input, wherein the multiple application programs from the selected group start together in response to the single user input (page 1, "by one click") and further wherein the group of multiple application programs include at least one of
  - a. (i) a group of multiple application programs executing when a previous computing session was discontinued,
  - b. (ii) a group of multiple application programs often selected for use,

- c. (iii) a group of multiple application programs recently for use, and
  - d. (iv) a group of multiple application programs most used by the user (it is inherent, given the nature and purpose of the teaching of Enin, that the batches would be made up of at least one configuration consisting of often, recently or most used applications); and
- c. selectable configurations (shortcuts; page 2) each configured (user formed; page 1) for a user selection to designate (drag and dropping; page 1) a multiple application start-up configuration ("Batch launcher allows launching the dialogue window for selecting a required batch at Windows start"; page 1,) wherein the selectable configurations include at least one of (i) a configuration to designate a group of applications executing when a previous computing session was discontinued, (ii) a configuration to designate a group of applications often selected for use, (iii) a configuration to designate a group of applications recently selected for use and (iv) a configuration to designate a group of applications most used by the user (it is inherent, given the nature and purpose of the teaching of Enin, that the batches would be made up of at least one configuration consisting of often, recently or most used applications.)

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to include controls for multiple application initiation as taught by Enin within an operating system of Rathbone. One would have been motivated to include the teaching of Enin in Rathbone as it was well within known options given that Enin was running on the OS disclosed by Rathbone.

Langer discloses an operating system with means to generate configurations of application programs without user input (page 106, Mac OS automatically tracks the things you open, such as applications.) Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to generate configurations of application programs without user input, as taught by Langer, into the Operating System of Rathbone, modified with Ricart and Enin. One would have been motivated to generate configurations of application programs without user input in order to provide programs that will be most likely needed by the user and in such a fashion meet the anticipation of the user (page 106.)

**Claim 2, 9, 17, 26:** Rathbone, Ricart, Enin and Langer disclose a user interface as recited in claim 1. Enin further discloses wherein the selectable control is user-configurable to designate a multiple application start-up configuration (page 1.)

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to include wherein the selectable control is user-configurable to designate a multiple application start-up configuration as taught by Enin within an operating system of Rathbone. One would have been motivated to include the teaching of Enin in Rathbone as it was well within known options given that Enin was running on the OS disclosed by Rathbone.

**Claim 10, 19, 28:** Rathbone, Ricart, Enin and Langer disclose a user interface as recited in claim 8. Enin further discloses wherein the multiple application programs are a user-defined (by drag and dropping the shortcuts; page 1) group of application programs (set of applications; page 1), and wherein the user interface selectable control is further configured to start (launch; page 1) the user-defined group of applications together (by one click; page 1.)

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to include wherein the multiple application programs are a user-defined as taught by Enin within an operating system of Rathbone. One would have been motivated to include the teaching of Enin in Rathbone as it was well within known options given that Enin was running on the OS disclosed by Rathbone.

**Claim 17, 26:** Rathbone, Ricart, Enin and Langer disclose a method and one or more computer readable media as recited in claim 16 and 25, respectively. Enin further discloses comprising receiving a user selection to designate a multiple application start-up configuration (selecting a required batch at Windows® startup; page 1.)

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to include receiving a user selection to designate a multiple application start-up configuration as taught by Enin within an operating system of Rathbone. One would have been motivated to include the teaching of Enin in



Rathbone as it was well within known options given that Enin was running on the OS disclosed by Rathbone.

**Claim 18, 27:** Rathbone, Ricart, Enin and Langer disclose a method and one or more computer readable storage media as recited in claim 16 and 25, respectively. Enin further discloses comprising receiving a user selection (drag and dropping shortcuts; page 1) to configure the user interface selectable control which is user-configurable to designate a multiple application program start-up configuration.

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to include receiving a user selection to configure the user interface selectable control which is user-configurable to designate a multiple application program start-up configuration as taught by Enin within an operating system of Rathbone. One would have been motivated to include the teaching of Enin in Rathbone as it was well within known options given that Enin was running on the OS disclosed by Rathbone.

**Claim 19, 28:** Rathbone, Ricart, Enin and Langer disclose a method and one or more computer readable storage media as recited in claim 16 and 25, respectively. Enin further discloses wherein receiving the user selection initiates (forms; page 1) a user-defined group of applications (batch; page1,) and wherein starting (launch; page 1) the multiple applications includes starting the user-defined group of applications together and in response to a single user input (by one click; page1.)

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to include receiving the user selection initiates a user-defined group of applications and wherein starting the multiple applications includes starting the user-defined group of applications together and in response to a single user input as taught by Enin within an operating system of Rathbone. One would have been motivated to include the teaching of Enin in Rathbone as it was well within known options given that Enin was running on the OS disclosed by Rathbone.

**Claim 35, 38:** Rathbone, Ricart, Enin and Langer disclose a method and one or more computer readable media as recited in claim 34 and 37, respectively. Enin further discloses comprising delaying the start (launch; page 1) of the selected application programs (batch; page 1) until receiving the user input to initiate (drag and dropping; page 1) starting the selected application programs (formation of batches is performed before (delayed) launching (starting) the set of selected application programs (batch; page 1.)

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to include delaying the start of the selected application programs until receiving the user input to initiate starting the selected application programs as taught by Enin within an operating system of Rathbone. One would have been motivated to include the teaching of Enin in Rathbone as it was well within known options given that Enin was running on the OS disclosed by Rathbone.

**Claim 36:** Rathbone, Ricart, Enin and Langer disclose a method as recited in claim 34. Enin further discloses wherein receiving the user input to initiate starting the selected application programs includes receiving a user selection that does not correspond to a user-selectable control (use of shortcuts of the batches on the desktop; page 2.)

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to include receiving the user input to initiate starting the selected application programs includes receiving a user selection that does not correspond to a user-selectable control as taught by Enin within an operating system of Rathbone. One would have been motivated to include the teaching of Enin in Rathbone as it was well within known options given that Enin was running on the OS disclosed by Rathbone.

**Claim 3, 11, 20, 29:** Rathbone, Ricart, Enin and Langer disclose a user interface as recited in claim 1, wherein the multiple applications are a group of applications, and wherein the selectable control is further configured to initiate that the group of applications start (launch; page 1) together (by one click; page 1.) However, Rathbone, Ricart and Enin do not explicitly disclose wherein the multiple applications are a group of applications executing when a previous computing session was discontinued. Langer discloses an operating system comprising a means to start back up a group of applications from before the computer was put to sleep (page 58.)

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to include a group of applications executing when a

previous computing session was discontinued, as taught by Langer, into the Operating System of Rathbone, modified with Ricart and Enin. One would have been motivated to include previous session applications in order to allow continuation of potentially interrupted task from the previous session.

**Claim 4, 12, 21, 30:** Rathbone, Ricart, Enin and Langer disclose a user interface as recited in claim 1, wherein the multiple applications are a group of applications, and wherein the selectable control is further configured to initiate that the group of applications start (launch; page 1) together (by one click; page 1.) However, Rathbone, Ricart and Enin do not explicitly disclose wherein the multiple applications are a group of applications often selected for use by the user. Langer discloses an operating system comprising a means to initiate applications often selected for use by the user (page 104.)

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to include a group of applications often selected for use by the user, as taught by Langer, into the Operating System of Rathbone, modified with Ricart and Enin. One would have been motivated to include often selected for use by the user applications in order to provide a quick launch of programs that will be most likely needed by the user and in such a fashion meet the anticipation of the user.

**Claim 5, 13, 22, 31:** Rathbone, Ricart, Enin and Langer disclose a user interface as recited in claim 1, wherein the multiple applications are a group of applications, and

wherein the selectable control is further configured to initiate that the group of applications start (launch; page 1) together (by one click; page 1.) However, Rathbone, Ricart and Enin do not explicitly disclose wherein the multiple applications are a group of applications recently selected for use by the user. Langer discloses an operating system comprising a means to initiate applications recently selected for use by the user (page 106.)

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to include a group of applications recently selected for use by the user, as taught by Langer, into the Operating System of Rathbone, modified with Ricart and Enin. One would have been motivated to include recently used by the user applications in order to provide a quick launch of programs that will be most likely needed by the user and in such a fashion meet the anticipation of the user.

**Claim 6, 14, 23, 32:** Rathbone, Ricart, Enin and Langer disclose a user interface as recited in claim 1, wherein the multiple applications are a group of applications, and wherein the selectable control is further configured to initiate that the group of applications start (launch; page 1) together (by one click; page 1.) However, Rathbone, Ricart and Enin do not explicitly disclose wherein the multiple applications are a group of applications most used by the user. Langer discloses an operating system comprising a means to initiate applications most used by the user (page 104.)

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to include a group of applications most used by the

user, as taught by Langer, into the Operating System of Rathbone, modified with Ricart and Enin. One would have been motivated to include most used by the user applications in order to provide a quick launch of programs that will be most likely needed by the user and in such a fashion meet the anticipation of the user.

### ***Response to Arguments***

Applicant's arguments with respect to claim 1-6, 8-23, 25-32 and 34-38 have been considered but are moot in view of the new ground(s) of rejection.

### ***Conclusion***

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Andrew Belousov whose telephone number is (571) 270-1695. The examiner can normally be reached on Mon-Fri (alternate Fri off) EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dennis Chow can be reached on (571) 272-7767. The fax phone number for the organization where this application or proceeding is assigned is 571-273-3800.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Steven P Sax/  
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